

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Martinez et al.
Serial No.: 10/635,053
Filed: August 6, 2003
Group No.: 2169
Examiner: Hung Q. Pham
Notice of Allowance Mailed: February 3, 2009
Confirmation No.: 1344
Title: VIRTUAL MESSAGE PERSISTENCE SERVICE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

RESPONSE TO REASONS FOR ALLOWANCE

Applicants appreciate the Examiner's allowance of Claims 33 and 35-43. Pursuant to 37 C.F.R. § 1.104, Applicants respectfully issue a statement commenting on the Examiner's reasons for allowance. Applicants respectfully disagree with the Examiner's reasons for allowance to the extent that they are inconsistent with applicable case law, statutes, and regulations. Furthermore, Applicants do not admit to any characterization or limitation of the claims or to any characterization of a reference by the Examiner, particularly any that are inconsistent with the language of the claims considered in their entirety and including all of their constituent limitations.

Respectfully submitted,
BAKER BOTTS L.L.P.
Attorneys for Applicants



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Date: May 4, 2009
CUSTOMER NO. 05073